

12-18-6

12/18/2006  
RCE  
ZJ

DOCKET NO.: MSFT-1735/303422.1

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

C. James MacLennan, et al.

Application No.: 10/624,278

Filing Date: July 22, 2003

For: DATA MINING STRUCTURE

Confirmation No.: 7469

Group Art Unit: 2163

Examiner: Charles Edward Lu

EXPRESS MAIL LABEL NO: EV821916046US  
DATE OF DEPOSIT: December 14, 2006

EV821916046US

Mail Stop AF  Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL PURSUANT  
TO 37 CFR § 1.114**

*(Note - RCE practice is not available to United States applications with a filing date prior to June 8, 1995 or United States National Phase Applications where entry into the national phase is from an International Application filed prior to June 8, 1995. However, if a Continued Prosecution Application was filed after June 8, 1995 in one of the above-identified applications, RCE practice would then be permitted on that application)*

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

1. Submission required under 37 CFR § 1.114

Previously submitted

Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on August 8, 2006. (Any unentered amendment(s) referred to above will be entered).

Consider the arguments in the Appeal Brief or Reply Brief previously filed on

Other:

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01 FC:1801  
02 FC:1253

790.00 0P  
1020.00 0P

Enclosed

Amendment/Reply under 37 CFR § 1.116  
 Affidavit(s)/Declaration(s)  
 Information Disclosure Statement (IDS)  
 Other:

## 2. Miscellaneous

Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of      months. (Period of suspension shall not exceed three (3) months; Fee under 37 CFR §1.17(i) required)

## FEE CALCULATION:

|  |                                  |                            |       | SMALL ENTITY  |       | NOT SMALL ENTITY |            |
|--|----------------------------------|----------------------------|-------|---------------|-------|------------------|------------|
| <input checked="" type="checkbox"/> RCE BASIC FILING FEE   |                                  |                            |       | \$395.00      | \$    | \$790.00         | \$790.00   |
|  | CLAIMS<br>REMAINING<br>AFTER RCE | HIGHEST<br>NO.<br>PAID FOR | EXTRA |               |       |                  |            |
| TOTAL CLAIMS   | 35                               | (20 MINIMUM)<br>35         | 0     | \$25<br>EACH  | \$    | \$50 EACH        | \$0        |
| INDEP. CLAIMS  | 7                                | (3 MINIMUM)<br>7           | 0     | \$100<br>EACH | \$    | \$200<br>EACH    | \$0        |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT   |                                  |                            |       | \$180         | \$    | \$360            | \$         |
| <input type="checkbox"/> ONE MONTH EXTENSION OF TIME   |                                  |                            |       | \$60          | \$    | \$120            | \$         |
| <input type="checkbox"/> TWO MONTH EXTENSION OF TIME   |                                  |                            |       | \$225         | \$    | \$450            | \$         |
| <input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME  |                                  |                            |       | \$510         | \$    | \$1020           | \$1,020.00 |
| <input type="checkbox"/> FOUR MONTH EXTENSION OF TIME  |                                  |                            |       | \$795         | \$    | \$1590           | \$         |
| <input type="checkbox"/> FIVE MONTH EXTENSION OF TIME<br>(May only be taken when filing RCE in lieu of Appeal Brief) |                                  |                            |       | \$1080        | \$    | \$2160           | \$         |
| <input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID   |                                  |                            |       | minus         | (\$ ) | minus            | (\$ )      |
| <input type="checkbox"/> TERMINAL DISCLAIMER   |                                  |                            |       | \$65          | \$    | \$130            | \$         |
| TOTAL FEE DUE  |                                  |                            |       |               | \$    |                  | \$1,810.00 |

A check in the amount of \$1,810.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

Please charge Deposit Account No. 23-3050 in the amount of \$ .00. This sheet is attached in duplicate.

A response to the Final Rejection dated June 14, 2006 was due on September 14, 2006. A Response under 37 CFR 1.116 was filed via Express Mail on August 8, 2006 and an Advisory Action issued on August 22, 2006. Petition

is hereby made under 37 CFR § 1.136(a) to extend the time period for response from September 14, 2006 to and through December 14, 2006 comprising an extension of the shortened statutory period of Three (3) month(s).

A Notice of Appeal was filed . An Appeal Brief is due on . Applicants are filing this Request for Continued Examination in lieu of this Appeal Brief. Petition is hereby made to extend the time period from to and through comprising a total extension of month(s).

The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of the fees associated with this communication to Deposit Account No. 23-3050.

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: December 14, 2006



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